IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 8th day of August 2003
Bail Application No. 306 of 2003
Order on the bail application of accused.

CRIMINAL SIDE

Jaswant Singh @ Jassa @ Channi @ Chadni S/o
Kashmir Singh R/o Village Ramnagar
PS Bazpur Distt. Udham Singh Nagar ……Applicant.

Versus

State of Uttaranchal. ……..Opposite party.

Arising out of case crime No 174 of 2002
U/s 392, 397, 411, 120-B IPC.
Police Station –Gadarpur
District – Udham Singh Nagar..

By the Court

Hon'ble Irshad Hussain, J.

Heard Sri S.K. Mandal learned counsel for the applicant and learned A.G.A.

According to the prosecution robbery was committed on 6-5-2002 in which a bag containing Rs. 1,50,000-00 was snatched away by the miscreants. On 25.5.2002 the appellant-accused was allegedly arrested with a motor cycle and a sum of Rs. 1,50,000-00 and that too in the presence of the complainant himself, who identified the accused-appellant as one of those culprits who committed the offence on that day. No profile or features of the miscreants has been mentioned in the F.I.R. and therefore the alleged identification has no effective value. Considering this aspect of the case the bail application is allowed.

The applicant-accused Jaswant @ Jassa @ Channi @ Chadni be released in crime No. 174/ 2002 U/Ss 392, 397, 411, 120-B IPC P.S. Gadarpur District Udham Singh Nagar, on his executing personal bond and two sureties each in the like amount to the satisfaction of C.J.M. Udham Singh Nagar.

(Irshad Hussain, J.)

Dated 8-8-2003
ISB